

MINUTES  
OSTEOPATHIC PHYSICIAN LICENSING BOARD  
JANUARY 9, 2001  
ROOM 427 – HEBER WELLS BUILDING

CONVENED: 9:15 A.M.

ADJOURNED: 11:30 A.M.

CONDUCTING: Jeffrey Brown, DO

SECRETARY: Shirlene Kimball

MEMBERS PRESENT:

Judith S. Moore, DO  
Allan Edson, DO  
Jeffrey Brown, DO  
Robert E. Strong, DO  
R. Hector Grillone, public member

DIVISION STAFF:

A. Gary Bowen, Director (as indicated)  
Laura Poe, Assistant Director  
Daniel T. Jones, Bureau Manager

**TOPIC OF DISCUSSION:**

**DECISIONS & RECOMMENDATIONS:**

OCTOBER 17, 2000 MINUTES:

The minutes indicated the January 9, 2001 meeting would begin at 9:00 a.m. The time should have reflected 10:00 a.m. Minutes approved with this correction.

UPDATE REGARDING  
LEGISLATION TO REMOVE FROM  
STATUTE THE QUALITY REVIEW  
REQUIREMENT:

Ms. Poe reported that Senator Gladwell will sponsor the Bill removing the quality review requirement.

SUSAN HIGGS,  
PROBATION COORDINATOR:

Ms. Higgs was scheduled to discuss the probation process. However, Ms. Higgs is out sick today and she will be re-scheduled to meet with the Board at a later date.

DANIEL T JONES,  
DISCUSSION REGARDING THE  
PHYSICIAN ASSESSMENT AND  
CLINICAL EDUCATION (PACE)  
PROGRAM:

Mr. Jones reported the University of California San Diego PACE program directors would like to acquaint members of the Osteopathic Board to their program. The PACE program was developed for the remediation of physicians and to enhance medical

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practice. Directors of this program would like to make a formal presentation to Board members or invite a limited number of Board members to review the program in San Diego. Mr. Jones stated the purpose of approving the program would be to have a resource available where the Division and the Board can send physicians who need additional education and/or have been disciplined. Ms. Poe stated the Physicians Licensing Board approved the program and have sent several probationers for additional education. Dr. Edson stated he felt Board members could approve the program without attending the presentation. Ms. Poe indicated the program directors have been invited to give a presentation to the Physician's Licensing Board and the Division will notify Osteopathic Board members of the time and the place. She indicated Osteopathic Board members would be invited to attend at the same time and would receive per diem pay.

DR. EDSON DISCUSSION  
REGARDING ATTENDANCE AT  
THE AOA CONVENTION:

Dr. Edson reported the COMLEX and USMLE examinations were discussed at the AOA convention. He stated the state of Louisiana questioned the COMLEX examination and there is consideration of using a single examination pathway where the USMLE would be the only exam accepted. Dr. Moore gave a brief history regarding this issue. She reported Louisiana has been a hold out accepting licensure for Osteopathic Physicians and does not accept the COMLEX examination. She indicated Louisiana went to the Federation of State Medical Boards

asking for an opinion regarding the adequacy of the COMLEX. The Federation responded by stating it would be easier to have a single pathway for licensure. The Osteopath Association stepped in and defended the COMLEX examination as being important for licensure of Osteopaths. Dr. Edson stated the Federation is continuing to seek single pathway and may side with Louisiana to say the COMLEX is no longer valid. Dr. Moore expressed concern the USMLE does not test the osteopathic philosophy and if an individual is only required to take the USMLE, the individual may be deficient in osteopathic principles. Dr. Edson indicated a resolution was drafted in support of the COMLEX for the licensure of Osteopathic Physicians. It has been requested that each state Board go on record in support of the resolution. Dr. Edson provided Board members with a copy of the draft resolution indicating there are some additional non-substantive changes. Dr. Edson made a Motion to agree in substance with the American Association of Osteopathic Examiners draft resolution regarding the COMLEX examination and accept the resolution with minor wording changes. Dr. Strong seconded the Motion. All Board members in favor.

It was also suggested Dr. Edson contact Dr. Van Komen to see if he would be willing to support the COMLEX examination for Osteopathic Physicians. Ms. Poe suggested a Board member meet with the Physicians Licensing

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Board to obtain their support.

Dr. Edson indicated he will meet with the Physician's Board, present examination comparisons and the approved resolution. He stated he will also contact Dr. Van Komen.

DETERMINE DELEGATE TO  
ATTEND FEDERATION OF STATE  
MEDICAL BOARDS ANNUAL  
MEETING:

Mr. Jones indicated the Federation of State Medical Boards Annual meeting will be held in Atlanta Georgia April 19-21, 2001. Dr. Strong made a Motion to elect Dr. Edson as delegate for the FSMB Annual meeting. Mr. Grillone seconded the Motion. All Board members in favor.

DISCUSSION REGARDING  
EDUCATIONAL PRESENTATIONS:

Mr. Jones indicated that Marv Sims, Controlled Substance Date Base coordinator will be scheduled to discuss the controlled substance date base; Susan Higgs, probation coordinator, will be scheduled to discuss the discipline process; and Dr. Charles Walton, URAP coordinator will be scheduled to discuss impaired professionals. It was also suggested that Judge Steve Eklund be scheduled to discuss the process for Hearings. Each educational presentation will be scheduled for 15 to 20 minutes during the Board meeting.

WILLIAM MAUER,  
YES ANSWER ON APPLICATION:

Dr. Mauer has current action pending in the state of Illinois. Action was taken on Dr. Mauer's license in the late 1970's for failure to turn over records. In 1994 action was taken against his Illinois license because he refused to pay taxes and Illinois placed his license on probation. The current action in Illinois appears to be for practicing alternative

medicine, accepting money for false claims, giving patients false information, and employing his son in his clinic when his son was not appropriately trained.

Board members stated there are a number of red flags regarding this application. It appears the majority of current charges are resulting from his use of alternative medicines. Board members discussed placing the license on probation and restricting the practice of alternative medicine. However, if he were restricted from practicing alternative medicine, the Board would have to restrict all physicians who practice alternative medicine. Board members expressed concern whether or not Dr. Mauer is competent to practice, and also question his moral character. There is also a question whether or not he was practicing for the period of time while his Illinois license had lapsed.

Mr. Jones stated the Board has the options of denying licensure based on competence or moral character; deny based on action in another jurisdiction; or license on probation with restrictions.

Dr. Strong suggested the Division contact Illinois to see if there are any other actions pending and to see if the current case has been resolved. Board members indicated there are not enough facts to deny licensure and there are not enough facts to issue the license.

Mr. Bowen joined the meeting at 11:24 a.m.

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Dr. Edson made a Motion to table the application until Dr. Moore thoroughly reviews the application and further information has been obtained. Dr. Strong seconded the Motion. All members in favor.

NEXT MEETING:

The next meeting is scheduled for May 1, 2001 at 10:00 a.m.

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JEFFREY BROWN, DO CHAIR

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DATE

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DANIEL T. JONES, BUREAU  
MANAGER

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DATE